



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

**NOV 19 2010**

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-084

Michael L. Verhaar  
Environmental Affairs Manager  
The Boeing Company  
737 Airplane Program  
M/C 63-74  
P.O. Box 3703  
Seattle, Washington 98124-2207

Re: Toxic Substances Control Act (TSCA) Risk-Based Disposal Approval for the  
Management of PCB materials at the Boeing Plant 2 Facility – Request for Schedule  
Extension

Dear Mr. Verhaar:

This letter is in response to a request for a 60-day extension to the schedule established by Condition 3 of the cited approval, provided to EPA via e-mail dated October 7, 2010, from Edward T. Abramowski, Environmental Affairs, The Boeing Company (Boeing) to Dave Bartus of the United States Environmental Protection Agency, Region 10 (EPA). A copy of the e-mail is enclosed. As discussed informally between Mr. Abramowski and Dr. Bartus, Boeing requested this schedule extension to allow additional time for development of a modification to the risk-based disposal approval (RBDA) provided for by Option 2 under Condition 3 of the original RBDA. EPA understands that Boeing will be basing this RBDA modification on work to be conducted pursuant to the Resource Conservation and Recovery Act (RCRA), 42 United States Code § 6901 *et. seq.* (1976), consistent with EPA's discussion in the original approval of management of PCB remediation waste with concentrations less than 50 parts per million.

This letter provides formal approval of the requested schedule extension. EPA notes that the original risk-based disposal approval was dated September 9, 2010, so that the submission required by the revised Condition 3 would be due on December 8, 2010, based on the requested 60-day extension. As discussed via telephone on November 10, 2010, with Mr. Ed Abramowski, Boeing requested that EPA establish a submission due date for modifications to the RBDA of December 22, 2010. EPA is agreeable to this request, and therefore is establishing December 22, 2010, as the due date for submissions pursuant to Condition 3 of the approval. For purposes of clarity, EPA is including conditions of the original RBDA with the requested modification below.

**Conditions**

1. Boeing may perform cleanup, verification and on-site storage for disposal of PCB remediation waste as documented in Boeing's RBDA application, consisting of documentation identified in Enclosure 1. The scope of this authorization is limited to features with PCB concentrations greater than or equal to 50 mg/kg (parts per million) documented in Section 2.0 of Reference 1.

2. This approval will remain in effect for a period of two years following the approval signature date, or the duration of the authorized activities, whichever is shorter. Boeing may request an extension to this authorization by providing a written request to EPA according to Condition 11.
3. No later than December 22, 2010, Boeing will provide the EPA a written notice that either:
  1. Provides documentation to the EPA that no PCBs remaining within the Plant 2 project area subject to this approval below 50 ppm are PCB remediation waste as defined in 40 C.F.R. § 761.3; or
  2. Provides a request to modify this approval to address all PCB remediation waste within the Plant 2 project area, including any PCB remediation waste with as-found concentrations below 50 ppm.

Plans and schedules submitted pursuant to this condition will become enforceable requirements of this approval.

4. In conducting demolition activities authorized by this approval, Boeing shall ensure that effective controls are in place to prevent or minimize airborne dispersal of concrete or other material contaminated with PCBs. These controls may include temporary enclosures, or water sprays or mists. If water sprays or mists are used, the quantity of water shall be the minimum required for effective dust control, and shall be applied in a manner that minimizes or prevents the accumulation of liquids, run-off or infiltration into underlying soils.
5. Boeing will ensure that lined roll-off boxes or other containers used to manage PCB remediation waste under this approval will have liners adequate to prevent any incidental liquids from leaking from the boxes or containers. Roll-off boxes containing PCB remediation waste must be covered with a tarpaulin or other suitable cover to prevent potential air dispersal except when adding PCB remediation waste to a roll-off box.
6. Except for incidental liquids and water associated with control of air dispersal of concrete or other material contaminated with PCBs, any liquids in contact with or associated with PCBs being removed pursuant to this approval must be collected, placed in containers meeting applicable Department of Transportation requirements at 49 C.F.R. Part 178, and managed according to applicable requirements of 40 C.F.R. Part 761.
7. Boeing will ensure that the health and safety plan discussed in Section 4.0 of Reference 1 documents appropriate training and personal protective equipment required for all personnel that may be exposed to PCBs during demolition activities under this approval. Boeing will provide the EPA a copy of this health and safety plan according to Condition 11 no later than two weeks prior to the start of demolition activities.
8. Within 10 days of the effective date of this approval, and at least 10 days prior to initiation of any work under this approval, Boeing must provide documentation to the EPA according to

Condition 11 that it has provided notification to the EPA of its PCB handling activities using the notification procedures and form described in 40 C.F.R. § 761.205.

9. Nothing in this approval relieves Boeing of any obligation to comply with other rules and regulations applicable to the activities subject to this approval.
10. If at any time before, during, or after storage of PCB remediation waste pursuant to this approval, Boeing possesses or is otherwise made aware of any data or information (including but not limited to site conditions that differ from those presented in the application) that activities approved herein may pose an unreasonable risk of injury to health or the environment, Boeing must report such data or information via facsimile or e-mail to EPA according to Condition 11 within five working days, and in writing to the Regional Administrator within 30 calendar days of first possessing or being made aware of such data or information. Boeing shall also report in the same manner, new or different information related to a condition or any element of the approved storage activities if the information is relevant to this approval. EPA may direct Boeing to take such actions it finds necessary to ensure the approved storage activities do not pose an unreasonable risk of injury to health or the environment. Boeing shall follow such direction until written approval is obtained from the EPA that finds the condition(s) requiring such direction no longer poses an unreasonable risk of injury to health or the environment. EPA reserves the right to modify or revoke this approval based on information provided pursuant to this condition, or any other information available to EPA that provides a basis to conclude that activities covered by this approval pose an unreasonable risk of injury to health or the environment.
11. Submissions required by this approval shall be provided to EPA as follows:

EPA:                    Edward J. Kowalski, Director  
                             Office of Compliance and Enforcement  
                             EPA Region 10  
                             1200 6<sup>th</sup> Ave., Suite 900, MS OCE-164  
                             Seattle, Washington 98101  
                             E-mail: kowalski.edward@epa.gov  
                             Facsimile: (206) 553-7176

w/copies to            Dave Bartus  
                             Office of Air, Waste and Toxics  
                             EPA Region 10  
                             1200 6<sup>th</sup> Avenue, Suite 900, MS AWT-122  
                             Seattle, Washington 98101  
                             E-mail: bartus.dave@epa.gov  
                             Facsimile: (206) 553-8509

Should you have any questions or comments, please contact Dave Bartus at (206) 553-2804, or [bartus.dave@epa.gov](mailto:bartus.dave@epa.gov).

Sincerely,



Edward J. Kowalski  
Director

Enclosure

1. References
2. Statement of Basis
3. E-mail dated October 7, 2010, from Edward Abramowski, The Boeing Company, to Dave Bartus, EPA.

cc: Shawn Blocker, EPA  
Mark Edens, Ecology Northwest Regional Office